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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANDREW WADSWORTH,

Petitioner,

v.

**MATTHEW C. KRAMER, Warden, and the
ATTORNEY GENERAL OF THE STATE OF
CALIFORNIA,**

Respondents.

C 07-5241 MMC

**ANSWER TO PETITION FOR
WRIT OF HABEAS CORPUS**

Respondent hereby provides this answer to the petition for writ of habeas corpus and order to show cause:

I.

Petitioner is lawfully in the custody of the California Department of Corrections. He is serving a sentence of 50 years to life for first degree murder and firearm use.

II.

Petitioner has exhausted his state remedies, having presented to the California Court

1 Supreme Court in petitions for review and state habeas corpus relief the claims he raises in this
2 petition.

3 **III.**

4 Respondent denies that petitioner suffered any deprivation of constitutional rights and,
5 hence, that he is entitled to habeas corpus relief. Because the decisions of the state appellate courts
6 were neither contrary to nor an unreasonable application of clearly established federal law as
7 determined by the United States Supreme Court, petitioner is not entitled to a writ of habeas corpus.
8 28 U.S.C. § 2254(d)(1). In support of the denial, respondent incorporates the accompanying
9 memorandum of points and authorities.

10 **IV.**

11 Pursuant to Rule 5 of the rules governing section 2254 cases and to the Court's order to
12 show cause, respondent provides to the Court copies of the reporter's and clerk's transcripts of the
13 trial, all briefs filed in the state appellate courts, and all opinions and pertinent orders of the state
14 appellate courts.

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CONCLUSION

For the reasons stated, respondent requests that the petition be denied and the order to show cause discharged.

Dated: December 11, 2007

Respectfully submitted,

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